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preliminary list*

SUPPORT BY THE UNITED NATIONS SYSTEM OF THE EFFORTS OF GOVERNMENTS TO PROMOTE AND CONSOLIDATE NEW OR RESTORED DEMOCRACIES

MAINTENANCE OF INTERNATIONAL SECURITY

Letter dated 16 July 1997 from the Permanent Representatives of Azerbaijan and the Russian Federation to the United Nations addressed to the Secretary-General

We have the honour to transmit the text of the Treaty between the Russian Federation and the Azerbaijani Republic on Friendship, Cooperation and Mutual Security, signed in Moscow on 3 July 1997 by the President of the Russian Federation, Mr. Boris N. Yeltsin, and the President of the Azerbaijani Republic, Mr. Heydar A. Aliyev (see annex).

We should be grateful if you would have the text of this letter and its annex circulated as a document of the General Assembly under items 38 and 81 of the preliminary list.

(Signed) S. LAVROV
Ambassador
Permanent Representative
of the Russian Federation to
to the United Nations

(Signed) E. KOULIEV
Ambassador
Permanent Representative
of the Azerbaijani Republic
to the United Nations

* A/52/50.

ANNEX

Treaty between the Azerbaijani Republic and the Russian Federation on Friendship, Cooperation and Mutual Security, signed in Moscow on 3 July 1997

The Azerbaijani Republic and the Russian Federation, hereinafter referred to as the "High Contracting Parties",

Guided by the historical ties, friendly relations and traditions of goodwill between their peoples,

Considering that the further development of relations of friendship, good-neighbourliness and mutually advantageous cooperation between them is in keeping with the basic interests of the peoples of the two States and serves the cause of peace and security,

Determined to build in their territories democratic States based on the rule of law,

Reaffirming their commitment to the purposes and principles of the Charter of the United Nations and to the Helsinki Final Act and other instruments of the Organization for Security and Cooperation in Europe,

Reaffirming their commitment to observe the universally recognized international standards in the field of human rights,

Consolidating the contractual basis for their bilateral relations,

Desiring to upgrade their bilateral relations to a qualitatively new level,

Have agreed as follows:

Article 1

The High Contracting Parties, as friendly, equal and sovereign States, shall base their relations on confidence, strategic partnership and all-round cooperation. They shall abide strictly by the principles of mutual respect for their State sovereignty and independence, equality and non-interference in each other's internal affairs, non-use of force or threat of force, including economic and other means of exerting pressure, territorial integrity, inviolability of borders, peaceful settlement of disputes, respect for human rights and fundamental freedoms, conscientious fulfilment of their obligations, and other universally recognized norms of international law.

Article 2

The High Contracting Parties shall cooperate with a view to strengthening peace and improving stability and security at the global and regional levels.

They shall promote the continuation of the disarmament process, the creation and strengthening of international collective security systems and the development of structures and institutions that strengthen the peacekeeping role of the United Nations and the Organization for Security and Cooperation in Europe and improve the effectiveness of regional mechanisms. They shall also endeavour to promote the settlement of regional conflicts on the basis of the universally recognized norms of international law and, first and foremost, the observance and safeguarding of the principles of sovereignty, territorial integrity and inviolability of State borders.

To this end, the High Contracting Parties shall hold regular consultations on a regular basis on issues of common interest.

Article 3

The High Contracting Parties, affirming the inadmissibility of the use of force or threat of force in relations between States, do not recognize the forcible alteration of internationally recognized State borders.

They shall cooperate and support mutual efforts to safeguard their territorial integrity and the inviolability of their borders.

Article 4

If a situation arises which, in the opinion of one of the High Contracting Parties, poses a threat to peace, violates the peace or affects its vital security interests, either Party may propose to the other Party that consultations on the subject be held without delay. The High Contracting Parties shall exchange relevant information and endeavour to come to an agreement on appropriate measures to overcome the situation.

Article 5

The High Contracting Parties condemn separatism in all its manifestations and undertake not to support separatist movements, and they shall also prohibit and suppress the establishment and operation in their territories of organizations and groups, or activities of individuals, directed against the State sovereignty, independence or territorial integrity of the other High Contracting Party.

The High Contracting Parties shall cooperate in safeguarding their State borders on the basis of separate agreements.

Article 6

Each High Contracting Party undertakes not to participate in any actions or measures of a military, economic or financial nature, including through third countries, which are directed against the other High Contracting Party, and

shall not allow its territory to be used for the purposes of aggression or other forcible actions against the other High Contracting Party.

Article 7

Each High Contracting Party shall recognize and respect the right of the other Party independently to determine and carry out a set of measures to protect its sovereignty, territorial integrity, inviolability of borders and defence capability.

Article 8

The High Contracting Parties, independently deciding on matters of national security and defence, shall to this end engage in close cooperation and practical interaction. The forms and procedure for interaction in this area shall be stipulated by a separate agreement.

Article 9

Each High Contracting Party shall grant nationals of the other Party residing in its territory property and personal non-property rights, the right to rest, health protection, social security, housing, education, use of cultural achievements, and participation in social organizations, as well as personal rights and freedoms on the same basis and to the same extent as their own nationals. Nationals of the other Party shall enjoy in the territory of each High Contracting Party the same rights and shall have the same obligations in labour relations as its own nationals; they shall not, however, be appointed to such posts or engage in such activities for which citizenship of that Party is required.

Nationals of the other Party in the territory of each High Contracting Party shall have the right to appeal to the courts or other State bodies in order to defend their rights, and shall enjoy the same procedural rights as nationals of that Party.

Each High Contracting Party shall defend the rights of its nationals residing in the territory of the other Party, and shall protect and support them in accordance with the universally recognized norms of international law.

The High Contracting Parties shall conclude the necessary separate agreements to protect the rights of their nationals residing in the territory of the other High Contracting Party.

Article 10

The High Contracting Parties affirm that respect for the rights of persons belonging to ethnic minorities, which is a universally recognized human right,

is essential for peace, justice, stability and democracy in the Azerbaijani Republic and the Russian Federation.

The High Contracting Parties shall guarantee the right of persons belonging to ethnic minorities to exercise fully and effectively their human rights and fundamental freedoms and to enjoy them without any discrimination and in full equality before the law.

The High Contracting Parties shall guarantee the right of persons belonging to ethnic minorities, individually or together with other persons belonging to ethnic minorities, freely to express, preserve and develop their ethnic, cultural, linguistic or religious diversity and promote and develop their culture in all its aspects without being subjected to any attempts to assimilate them against their will.

The High Contracting Parties shall protect the ethnic, cultural, linguistic and religious diversity of ethnic minorities in their territory and shall create conditions that encourage such diversity.

The High Contracting Parties shall take effective measures, including the adoption of appropriate legislative acts, to prevent and suppress any activities that constitute incitement to violence against individuals or groups, based on national, racial, ethnic or religious discrimination, hostility or hate.

The High Contracting Parties shall take effective measures to protect individuals or groups who are being subjected, or who may be subjected, to threats or acts of violence, discrimination or hostility on the grounds of their ethnic, linguistic, cultural or religious diversity, and to protect their property.

The High Contracting Parties shall conclude an agreement on cooperation with a view to guaranteeing the rights of persons belonging to ethnic, linguistic, cultural or religious minorities.

Article 11

The High Contracting Parties shall guarantee to persons residing in their territory of their own free will the right to maintain the citizenship of the State of residence or to acquire the citizenship of the other Party in accordance with the legislation of the Parties concerning citizenship.

The problems that may arise in the case of a conflict of legislation on matters of citizenship of the High Contracting Parties shall be settled on the basis of a separate agreement.

Article 12

The High Contracting Parties shall develop equal and mutually advantageous cooperation in the fields of politics, economy, culture, health protection, energy, ecology, science, technology and trade, and in the humanitarian and

other areas, and shall promote a broad exchange of information. Priority areas of cooperation shall include, in particular, coordination of actions, including the implementation of coordinated initiatives, in diverse international organizations; safeguarding human rights in accordance with the basic international instruments in force in that area; coordination of management of the energy, transport and communications systems; cooperation in the field of environmental protection; and cooperation to combat organized crime, terrorism and drug-trafficking.

The High Contracting Parties shall conclude separate cooperation agreements on these and other questions of mutual interest.

Article 13

The legal regime of State property and property of juridical persons and nationals of one High Contracting Party situated in the territory of the other High Contracting Party shall be regulated by the legislation of the Party in which such property is situated, unless otherwise agreed between the Parties.

If one High Contracting Parties claims ownership to property situated in the territory of the other High Contracting Party, which is also claimed by third parties or States, the other Party shall take all the necessary measures to protect and preserve such property until the question of its ownership is finally settled, and it shall not have the right to transfer it to anyone else without the explicit consent of the first Party.

All other matters of property relations that affect the interests of the High Contracting Parties shall be settled in separate agreements.

Article 14

The High Contracting Parties shall ensure the development of economic, trade and scientific and technical relations at the levels of:

- government and administrative bodies;

- banks and the financial system;

- territorial and local (municipal) self-governing bodies;

- enterprises, associations, organizations and institutions;

- joint enterprises and organizations;

- individual entrepreneurs.

The Parties shall promote the creation in their territory of economic, financial and legal conditions conducive to entrepreneurial and other economic activity, including the encouragement and reciprocal protection of investments.

The Parties shall cooperate in diverse international economic, financial and other organizations and institutions, and shall support each other's participation in, or efforts to gain admission to, such international organizations of which one Party is a member.

The Parties shall notify each other in good time of economic decisions that may affect the rights and legitimate interests of the other Party.

Article 15

The Parties shall continue to cooperate within the framework of the Commonwealth of Independent States with a view to enhancing its effectiveness, which is necessary for the efficacious use of opportunities for economic cooperation in conditions of a market economy and entry into the world market.

Article 16

Attaching due importance to participation in regional cooperation, the Parties shall coordinate activities to promote their possible joint or unilateral initiatives within the framework of the Black Sea Economic Cooperation.

Article 17

The High Contracting Parties shall safeguard the carriage of goods and passengers through their sea, river and air ports and by rail and road networks, and pipelines, and shall conclude separate agreements on the regulation, on a most-favoured-nation basis, of matters relating to the transit of goods and passengers through their territory.

Article 18

The High Contracting Parties shall preserve and develop cooperation in the processing, use and export of oil and natural gas, agriculture and food, and also in the field of seismology.

Article 19

The High Contracting Parties shall develop cooperation in the field of science and technology, encouraging direct ties between research centres and the realization of joint programmes and products, in particular, in the area of advanced technologies. The Parties shall cooperate in the training of personnel and shall encourage the exchanges of scholars, trainees and students engaged in practical work, and shall conclude an agreement on the recognition of diplomas and scholarly degrees.

Article 20

The High Contracting Parties shall in every way promote the development of economic, cultural, ethnic and humanitarian ties, develop exchanges in the fields of education and tourism and promote the free exchange of information. The Parties shall conclude separate agreements on these questions.

They shall encourage the study and dissemination of the Russian language in Azerbaijan and of the Azerbaijani language in the Russian Federation.

They shall encourage cooperation in these fields, including between Governments and non-governmental organizations and institutions, private organizations and persons in the implementation of joint projects and in the activities of cultural, scientific and other funds and associations. The Parties shall conclude an agreement on the opening of cultural centres of the two countries in each other's territory.

Article 21

The High Contracting Parties shall devote particular attention to the development of cooperation in the field of management of energy, transport, informatics and communications systems, including satellite links and telecommunications, promoting the preservation and development of structures and unified systems in these fields.

Article 22

The High Contracting Parties shall develop cooperation in the field of environmental protection, promoting coordinated actions in this field at the regional and global levels, and seeking to create a comprehensive international system of environmental security and cooperation, in particular, in the protection and rehabilitation of the ecological system of the Caspian Sea.

Article 23

The High Contracting Parties shall actively cooperate in measures to combat organized and international crime, illegal drug-trafficking, terrorism and illegal acts directed against the safety of maritime navigation and civil aviation, and the illegal export of cultural values. The High Contracting Parties shall conclude separate agreements on cooperation in these and other questions of mutual interest.

Article 24

The High Contracting Parties shall devote particular attention to the development of contacts and cooperation between the parliaments and parliamentarians of the two States.

Article 25

This Treaty shall not affect the rights and obligations of the High Contracting Parties arising from other international treaties to which they are parties.

Article 26

The High Contracting Parties shall refer matters relating to the coordination of the fulfilment of their obligations under articles 9, 10 and 11 of this Treaty to the Intergovernmental Commission on Economic Cooperation between the Azerbaijani Republic and the Russian Federation.

Article 27

Disputes concerning the interpretation or application of this Treaty shall be settled through consultations and negotiations between the High Contracting Parties.

Article 28

This Treaty is subject to ratification and shall enter into force on the date of the exchange of the instruments of ratification.

Article 29

This Treaty is concluded for a period of 10 years. It shall subsequently be extended automatically for further five-year periods unless one of the High Contracting Parties notifies the other High Contracting Party in writing of its desire to terminate it at least six months before the expiry of the current period of validity.

The provisions of this Treaty may be supplemented or amended by mutual consent between the High Contracting Parties.

DONE at Moscow on 3 July 1997 in duplicate in the Azerbaijani and Russian languages, both texts being equally authentic.

For the Azerbaijani Republic:

(Signed) Heydar ALIYEV
President of the Azerbaijani Republic

For the Russian Federation:

(Signed) Boris YELTSIN
President of the Russian Federation